



## PLANNING BOARD

P.O. Box 1305  
Littleton, Massachusetts 01460

# FYI

Friday, January 30, 2009

**APPLICATION:**

**SPECIAL PERMIT FOR WIRELESS  
TELECOMMUNICATIONS FACILITIES**

**PROPERTY LOCATION:**

451 Newtown Road  
Map R-3, Parcel 2

**DESCRIPTION:**

Install up to 6 panel antennas at a centerline elevation of 97 feet on the existing AT&T tower at 451 Newtown Road and install up to 5 equipment cabinets, utility interconnections, and associated site improvements.

**APPLICANT:**

Metro PCS of Massachusetts, LLC  
285 Billerica Road  
Chelmsford, MA 01824

**OWNER:**

AT&T  
1200 Peachtree Street  
Atlanta, GA 30309

**REPRESENTATIVES:**

Prince, Lobel, Glovsky & Tye LLP  
100 Cambridge Street  
Suite 2200  
Boston, MA 02114

**DATES OF LEGAL NOTICES:** January 8 and 15, 2009

**DATE OF HEARING:** January 22, 2009

**MEMBERS PRESENT:** Janet LaVigne, Steve Wheaton, Gregg S. Champney, Mark Montanari, and Richard Crowley

**REFERENCE PLANS:** "BOS0628B AT&T Littleton 451 Newtown Road Littleton" (8 Sheets); dated 11/24/08 for Metro PCS, prepared by Dewberry-Goodkind, Inc.

I, Gregg S. Champney, Clerk of the Planning Board hereby certify that the following is a record of proceedings relative to the application of Metro PCS for a Special Permit under Section 173-128 of the Littleton Zoning Bylaws for property located at 451 Newtown Road.

**APPLICATION:** On November 25, 2008, the application, plans, supporting documentation and the application fee were submitted to the Board.

**SPECIAL PERMIT FOR WIRELESS TELECOMMUNICATIONS FACILITIES**  
**451 Newtown Road – Metro PCS**

**HEARING:** Following proper notification, the Public Hearing was opened on Thursday, January 22, 2009 at the Littleton Town Office at which all those interested were given an opportunity to be heard. The Public Hearing was closed the same date.

**FINDINGS:** Following the Hearing, the Board, based on the application, and together with the materials and testimony provided at the hearing, made the following specific findings regarding the land in question and the proposed use:

1. The Board finds, pursuant to Section 173-131 A, the applicant provided satisfactory testimony that the new dish would be located such that it would not be in violation of the Federal Communication Commission or the Federal Aviation Administration regulations presently in effect.
2. The Board finds, Pursuant to Section 173-131 A that the application provides satisfactory documentation that the dish would be located such that it would not be in violation of the FCC or FAA regulations currently in effect.
3. The facility complies with setback requirements. The facility is currently fenced.
4. Access to the site is adequately provided for.
5. The Board finds, pursuant to Section 173-133 D that the applicant demonstrated that no additional lighting of the tower would be required, and that the tower would comply with Mass. Department of Public Health and FCC regulations concerning radio frequency emissions.
6. Pursuant to Section 173-7 C. of the Bylaws, the Board finds as follows that the proposed use detailed in the application:
  - A. Will not create a significant nuisance, hazard, or congestion;
  - B. Will not create substantial harm to the neighborhood in which it is to take place;
  - C. Is appropriate for the site in question; and
  - D. Complies with all applicable requirements, except where otherwise waived herein.

**DECISION:** At the Board meeting of Thursday, January 22, 2009 the Board voted to **grant** the applicant a Wireless Telecommunication Special Permit as described herein with the following conditions. For all the above reasons, the Board hereby grants the Special Permit, subject to the following **conditions**:

1. All conditions of the previously issued Special Permits for this site shall remain in force.
2. The antennas, cabling and utility interconnections shall be painted red and white to match the color of the existing AT&T tower, according to the height of the installation,
3. Noise shall be in accordance with the Bylaw Section 173-78 through 173-83.

**SPECIAL PERMIT FOR WIRELESS TELECOMMUNICATIONS FACILITIES  
451 Newtown Road – Metro PCS**

4. The height of the installation shall not exceed 100 feet.
5. If the antennas are not operative for a continuous period of twelve months, they shall be considered abandoned, and the owner of the antennas shall remove them within 90 days of such abandonment.
6. The applicant shall submit a structural analysis of the existing tower and of the proposed installation based in the 7<sup>th</sup> Edition Building Code as part of the Building Permit application.
7. This Special Permit shall lapse in 5 years; it can be extended another 5 years by petition to the Littleton Planning Board prior to January 22, 2014.
8. This Special Permit shall not become effective until this Special Permit is recorded at the Registry of Deeds.

The Board voted 5 to 0 to **grant** the Special Permit with the above conditions.

Each Board member voted as follows:

<b>Janet LaVigne</b>	<b>AYE</b>
<b>Steve Wheaton</b>	<b>AYE</b>
<b>Gregg S. Champney</b>	<b>AYE</b>
<b>Mark Montanari</b>	<b>AYE</b>
<b>Richard Crowley</b>	<b>AYE</b>

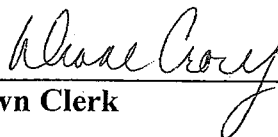
**Appeals, if any, shall be made pursuant to Section 17 of Chapter 40A, Massachusetts G.L., and shall be filed within 20 days after the date this decision is filed with Town Clerk.**

**Signed:**

**Date Filed with Town Clerk:** January 30, 2009



**Gregg S. Champney, Clerk**



**Town Clerk**

**SPECIAL PERMIT FOR WIRELESS TELECOMMUNICATIONS FACILITIES**  
**451 Newtown Road – Metro PCS**

**TOWN CLERK CERTIFICATION:**

To Whom It May Concern:

I, Diane Crory, Clerk of the Town of Littleton hereby certify that twenty days have elapsed since the filing of this decision by the Planning Board for this Wireless Telecommunications Facility Special Permit and that no appeal concerning said decision has been filed, or that any appeal that has been filed has been dismissed or denied.

\_\_\_\_\_  
Town Clerk Mary Crory  
Littleton, Mass.

\_\_\_\_\_  
Date